



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Kelley, et al.

SERIAL NO.: 10/694,211

ART UNIT:

FILING DATE: 8/27/04

EXAMINER:

TITLE: DETERMINING MODE SPECTRA FOR DIFFERENT STATES  
OF POLARIZATION

ATTORNEY

DOCKET NO.: 860-011447-US (PAR)/20020779

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO RESET REPLY DATE

Sirs:

Applicants respectfully request that the period to reply to the Notice to File Missing Parts dated April 7, 2004 be reset to expire on October 5, 2004.

On or about August 2, 2004, Applicants' attorney's assistant noticed that the present application was filed on August 27, 2004 and that a filing receipt and Notice to File Missing Parts had not yet been received. On August 5, 2004, Applicants' attorney accessed the USPTO Private PAIR System and found that according to USPTO records, a Notice was mailed on April 7, 2004. Applicants' attorney called the Office of Initial Patent Examination and was faxed a copy of the filing receipt and the Notice to File Missing Parts for the present application.

Although the Notice to File Missing Parts is indicated as being mailed on April 7, 2004, Applicants' attorney has not yet received the mailed Notice to File Missing Parts.

Because all of the time in the original 2 month period to respond to the Notice to File Missing Parts has lapsed, Applicants respectfully request that the period for response be reset to expire on October 5, 2004, two months from the date the Notice to File Missing Parts was faxed to Applicants' attorney.

A copy of the Notice to File Missing Parts as faxed is enclosed showing the faxed date of August 5, 2004, and a "date-in" stamp indicating the date the document was received by Applicant's attorney as being August 5, 2004.

Also enclosed is a copy of Applicant's attorneys' docketing/ "mail-in" log for April 1, 2004 through August 5, 2004 which shows that Applicants' attorney did not receive the Notice to File Missing Parts until August 5, 2004.

The undersigned hereby certifies that the Perman & Green date stamp and docketing log establishes the date of receipt of the Notice to File Missing Parts at the correspondence address. All mail received at the correspondence address is directly delivered to our docketing manager. As each item is received, the envelope and the front page of the documents therein are date stamped. The documents therein are reviewed and docketed in the "mail-in" log as well as logged in our docketing computer.

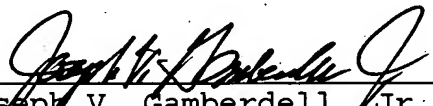
The docketing log indicates that the Notice to File Missing Parts was not received until August 5, 2004. Therefore, it is respectfully submitted that August 5, 2004 be considered the date on which the Notice to File Missing Parts was received at

the correspondence address, which is well after the indicated mailing date of April 7, 2004.

Therefore, Applicant respectfully requests that the time to reply to the Notice to File Missing Parts be reset to expire on October 5, 2004.

Although no fee is due in conjunction with this petition, the Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350. The Examiner is respectfully requested to contact the undersigned if any fee should be due.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph V. Gamberdell, Jr.  
Reg. No. 44,695

6 August 2004  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

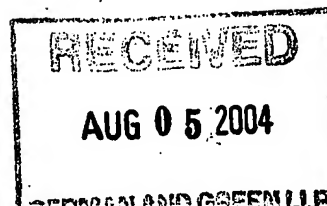
#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date: August 6, 2004 Signature: Shannon Watt  
Person Making Deposit  
Shannon Watt



UNITED STATES PATENT AND TRADEMARK OFFICE



PERMAN AND GREEN LLP  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/649,211	08/27/2003	Michael Kelly	860-011447-US / 2002-0779

CONFIRMATION NO. 6141

2512  
PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD, CT 06824

FORMALITIES LETTER

US ACTION  
DUE DATE 6-7-04  
PAPER DATED 4-7-04  
OA \_\_\_\_\_ FINAL \_\_\_\_\_  
MSG PT ☒ DWG \_\_\_\_\_  
APPEAL \_\_\_\_\_ ISSUE FEE \_\_\_\_\_  
OTHER \_\_\_\_\_



\*OC000000012297390\*

Date Mailed: 04/07/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DATE: Thur. 4-1-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
JVG	858-009117-US (PAR)	3-29-04	Issue Fee	6-29-04
GCL	297-008927-US (PAR)	3-29-04	Advisory Action	3-24-04 DD
HIS	460-010353-US (PAR)	3-29-04	US-3 MON	6-29-04
G-A	<del>858</del> 010347-US (PAR)	3-29-04	"	6-29-04
G-A	886-011613-US (PAR)	3-30-04	Missing Parts	5-30-04
JVG	390P01178-US (PAR)	3-30-04	"	5-30-04
G-A	860-011614-US (PAR)	3-30-04	"	5-30-04
G-A	413-010748-US (PAR)	3-29-04	US-3 MON	6-29-04
GCL	770P009584-US (ACT)	3-29-04	"	6-29-04
HIS	297-010484-US (PAR)	3-29-04	"	6-29-04
JVG	324-009951-US (PAR)	3-30-04	"	6-30-04

DATE: Fri - 4-2-04

## DAILY MAIL LOG

[illegible]

DATE: MON. 4-5-04

## DAILY MAIL LOG

[illegible]



DATE: Wed. 4-7-04

## DAILY MAIL LOG

[illegible]

DATE: 1 hr. 4-8-04

## DAILY MAIL LOG

[illegible]

DATE: Mon: 4-12-04

## DAILY MAIL LOG

[illegible]

DATE: MON. 4-12-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
G-A	785-011630-US(COI)	4-9-04	Missing Parts	6-9-04
G-A	785-011642-US(COI)	4-8-04	"	6-8-04
G-A	785-011640-US(COI)	4-8-04	"	6-8-04
GCZ	770P011387-US(PI)	4-8-04	"	6-8-04
GCZ	770P009663-US(PI)	4-9-04	US-3 mon	7-9-04
JM	460-010615-US(PAR)	4-8-04	"	7-8-04
GCZ	297-009349-US(PAR)	4-8-04	"	7-8-04
HIS	460-007649-US(PI)	4-8-04	"	7-8-04
GCZ	832P010643-US(PAR)	4-9-04	"	7-9-04
	778-010453-US(PI)	4-8-04	"	7-8-04
HIS	747-009336-US(PAR)	4-7-04	Advisory Action	6-1-04 DID
RNG	460-007777-US(PAR)	4-8-04	US-Final	7-8-04
HIS	950-010048-US(PAR)	4-8-04	Issue/Publ. Fees	7-8-04
JM	502-010916-US(PAR)	4-9-04	"	7-9-04
GCZ	297-008049-US(PAR)	4-6-04	Issue Fee	7-6-04

DATE: Thur. 4-15-

# DAILY MAIL LOG

[illegible]

DATE: Fri - 4-16-04

## DAILY MAIL LOG

[illegible]

DATE: Mon. 4-19

## DAILY MAIL LOG

[illegible]

DATE: Wed 4-21

## DAILY MAIL LOG

[illegible]



DATE: Thor 4-22

## DAILY MAIL LOG

[illegible]

DATE: Fri - 4-23-04

# DAILY MAIL LOG

[illegible]

DATE: MON 4-26-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
JNG	225-009259-US (PAR)	4-21-04	Advisory Action	5-12-04 DD
G-A	<del>858</del> 858-01006-US (PAR)	4-22-04	US-3mon	7-22-04
JM	<del>6950</del> 6950-010071-US (PAR)	4-22-04	"	7-22-04
RDG	460-008437-US (PAR)	4-23-04	"	7-23-04
RDG	446PD10841-US (PAR)	4-23-04	"	7-23-04
	<del>768</del> 768-009159-US (PAR)	<del>4-22-04</del>	<del>"</del>	<del>7-22-04</del>
JNG	871-011226-US (PAR)	4-22-04	"	7-22-04
G-A	442-010715-US (PAR)	4-22-04	"	7-22-04
G-A	297-010102-US (PAR)	4-22-04	"	7-22-04
HIS	<del>542</del> 542-009929-US (PAR)	4-21-04	US-FINAL	7-21-04
SM	<del>785</del> 785-011063-US (PAR)	4-21-04	Issue/Publ Fees	7-21-04

DATE: Tues 4-27-04

# DAILY MAIL LOG

[illegible]

DATE: Wed 4-28

## DAILY MAIL LOG

[illegible]

DATE: Thur. 4-29-04

## DAILY MAIL LOG

[illegible]

DATE: Fri - 4-30-04

# DAILY MAIL LOG

[illegible]

DATE: Nov 5-3

## DAILY MAIL LOG

[illegible]



DATE: Wed. 5-5-04

## DAILY MAIL LOG

[illegible]

DATE: Thur 5-6-04

# DAILY MAIL LOG

[illegible]

DATE: Fri - 5-7-04

## DAILY MAIL LOG

[illegible]

DATE: Mon 5-10-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
G-A	785-011628-US(PAR)	5-6-04	Missing Reg's	7-6-04
G-A	860P011716-US(-#1)	5-7-04	Missing Parts	7-6-04
JVG	860-011679-US(PAR)	5-6-04	"	7-6-04
G-A	704-011678-US(PAR)	5-6-04	"	7-6-04
RDG	924P011011-US(PAR)	5-7-04	Issue/Publ Fees	8-7-04
GCZ	690-010500-US(PAR)	5-7-04	FINAL	8-7-04
RDG	413-010355-US(PAR)	5-7-04	"	8-7-04
GCZ	442-009478-US(PAR)	5-7-04	"	8-7-04
G-A	785-009871-US(PAR)	5-5-04	US-3 mon	8-5-04
HIS	460-009938-US(PAR)	5-6-04	"	8-6-04
<del>G-A</del> JVG	871-011565-US(PAR)	5-10-04	"	8-10-04
JVG	770P009592-US(PAR)	5-7-04	"	8-7-04
G-A	<del>836</del> 010040-US(PAR)	5-7-04	"	8-7-04

DATE: Wed 5-12-04

# DAILY MAIL LOG

[illegible]

DATE: THUR. 5-13-04

## DAILY MAIL LOG

[illegible]

DATE: Fri 5-14-04

## DAILY MAIL LOG

[illegible]

DATE: Mon 5-17-04

## DAILY MAIL LOG

[illegible]



DATE: Wed 5-19-04

# DAILY MAIL LOG

[illegible]

DATE: Thur 5-20-04

## DAILY MAIL LOG

[illegible]

DATE: Fri 5-21-04

## DAILY MAIL LOG

[illegible]

DATE: MON 5-24-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
HIS	690-009488-US (PAR)	5-17-04	Advisory Action	7-5-04
RDG	324-010646-US (PAR)	5-20-04	"	8-12-04 DD
BDG	297-009504-US (PAR)	5-20-04	"	7-28-04 DD
<del>JVG</del>	<del>270P010128-US (ION)</del>	<del>5-20-04</del>	<del>Rest. Reg</del>	<del>6-20-04</del>
SM	806P011259-US (PAR)	5-20-04	Missing Part	7-20-04
RDG	617-010222-US (PAR)	5-21-04	FINAL	8-21-04
G-A	460-010381-US (PAR)	5-20-04	US-3MON	8-20-04
G-A	297-010397-US (PAR)	5-21-04	"	8-21-04
G-A	813-011167-US (PAR)	5-20-04	"	8-20-04
RDG	690-010459-US (PAR)	5-20-04	"	8-20-04
AWH	215P008395-US (ION)	5-21-04	Issue/Publ Fees/Dug	8-21-04
GCZ	806-010925-US (PAR)	5-20-04	Issue/Publ Fees	8-20-04

DATE: Wed. 5-26-64

## DAILY MAIL LOG

[illegible]

DATE: Thur 5-27-04

## DAILY MAIL LOG

[illegible]

DATE: Tues 6-1-04

## DAILY MAIL LOG

[illegible]

DATE: Thur 6-3-04

## DAILY MAIL LOG

[illegible]



DATE: Fri - 6-4-64

## DAILY MAIL LOG

[illegible]

DATE: MON - 6-7-04

## DAILY MAIL LOG

[illegible]

DATE: Wed. 6-9-04

## DAILY MAIL LOG

[illegible]

DATE: Wed. 6-16-04

## DAILY MAIL LOG

[illegible]

DATE: Thurs 6-17-04

## DAILY MAIL LOG

[illegible]

DATE: Fri 6-18-04

# DAILY MAIL LOG

[illegible]

# DAILY MAIL LOG

[illegible]

DATE: Wed 6-23-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
G-A	873-011675-US(PAR)	6-18-04	Missing Parts	8-18-04
GCZ	770-011448-US(PAR)	6-18-04	"	8-18-04
G-A	945-011670-US(PAR)	6-21-04	"	8-21-04
GCZ	770-011647-US(PAR)	6-17-04	"	8-17-04
JVG	770-011552-US(PAR)	6-17-04	"	8-17-04
GCZ	770-011466-US(PAR)	6-17-04	"	8-17-04
G-A	860-011746-US(PAR)	6-18-04	"	8-18-04
G-A	945-011672-US(PAR)	6-18-04	"	8-18-04
JVG	860-011087-US(PAR)	6-18-04	US-3mon	9-18-04
SM	785-011025-US(PAR)	6-17-04	"	9-17-04
GCZ	770P010667-US(PAR)	6-16-04	"	9-16-04
GCZ	684-009997-US(PAR)	6-21-04	FINAL	9-21-04
JM	544-011181-US(PAR)	6-17-04	US-3mon	9-17-04
DMW	297-008993-US(PAR)	6-21-04	Issue fee	9-21-04



DATE: Thur 6-24-04

## DAILY MAIL LOG

[illegible]

DATE: Fr. 6-25-04

## DAILY MAIL LOG

[illegible]

DATE: MON. 6-28

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
G-A	939-011770-US(PAR)	6-25-04	Missing Part	8-25-04
G-A	785-011767-US(PAR)	6-25-04	"	8-25-04
G-A	886-011760-US(PAR)	6-24-04	"	8-24-04
G-A	886-011761-US(PAR)	6-24-04	"	8-24-04
G-A	886-011434-US(PAR)	6-25-04	US-3mon	9-25-04
GCZ	690-009486-US(PAR)	6-24-04	"	9-24-04
RDX	446PO10841-US(PAR)	6-25-04	Advisory Action	6-30-04 DD
RDX	690-009513-US(PAR)	6-23-04	"	7-30-04 DD
JVG	390-008764-US(PAR)	6-25-04	Rest. Ref	7-25-04
GCZ	617-010120-US(PAR)	6-24-04	US-3mon	9-24-04
GCZ	528-008607-US(PAR)	6-24-04	Issue fee/Durs	9-24-04
HJS	442-009925-US(PAR)	6-24-04	Issue/Publ fees	9-24-04

DATE: Wed. 6-30-04

## DAILY MAIL LOG

[illegible]

DATE: Thurs. 7-1-04

## DAILY MAIL LOG

[illegible]

DATE: Fri. 7-2-04

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
G-A	785-011781-US (TOI)	6-30-04	Missing Parts	8-30-04
JM	502-011151-US (PAR)	6-30-04	Issue/Publ Fees	9-30-04
G-A	324-010105-US (PAR)	6-29-04	"	9-29-04
JNG	225-009259-US (PAR)	6-30-04	Issue Fee	9-30-04
GCZ	473-010146-US (PAR)	6-30-04	Issue/Publ Fees/Dyg	9-30-04
GCZ	297-009787-US (PAR)	6-30-04	US-FINAL	9-30-04
RDG	297-010084-US (PAR)	6-30-04	"	9-30-04
G-A	473-010116-US (PAR)	6-30-04	"	9-30-04
RDG	445-008969-US (TOI)	6-30-04	US-3 mon	9-30-04
G-A	617-011257-US (PAR)	6-30-04	US-3 mon	9-30-04
JM	390-010854-US (PAR)	6-30-04	"	9-30-04

DATE: Tues 7-6-04

## DAILY MAIL LOG

[illegible]

DATE: Wed. 7-7

# DAILY MAIL LOG

[illegible]



DATE: 1 Nov. 7-8

## DAILY MAIL LOG

[illegible]

7-5-6

# DAILY MAIL LOG

[illegible]

DATE: Mon: 7-12

## DAILY MAIL LOG

[illegible]

DATE: Tues 7-13-04

# DAILY MAIL LOG

[illegible]

DATE: Wed. 7-14-04

## DAILY MAIL LOG

[illegible]

DATE: Thur. 7-15-04

## DAILY MAIL LOG

[illegible]

DATE: 7-16-04

## DAILY MAIL LOG

[illegible]

DATE: MON. 7-19-04

## DAILY MAIL LOG

[illegible]



DATE: Wed 7-21-04

## DAILY MAIL LOG

[illegible]

DATE: Thur. July 22, 04

## DAILY MAIL LOG

[illegible]

DATE: FFI-7-23-04

## DAILY MAIL LOG

DATE: MON 7-26-04

## DAILY MAIL LOG

[illegible]

DATE: Wed 7-28-04

## DAILY MAIL LOG

[illegible]

DATE: Thurs. 7-29

## DAILY MAIL LOG

[illegible]

DATE: Fri 7-30-04

## DAILY MAIL LOG

[illegible]

DATE: Wed. 8-4-04

## DAILY MAIL LOG

[illegible]



DATE: Thur. 8-5-04

## DAILY MAIL LOG

[illegible]